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8  
9 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. *2013-983*

13 **MICHELE LANGHOLZ,**  
14 **AKA MICHELE ANN DOROUGH,**  
**AKA MICHELE GREENLEE**  
15 **15 Palazzo Terrace**  
**Henderson, NV 89074**

**A C C U S A T I O N**

16 **Registered Nurse License No. 505515**

17 Respondent.

18  
19 Complainant alleges:

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
22 official capacity as the Executive Officer of the Board of Registered Nursing, Department of  
23 Consumer Affairs.

24 2. On or about October 14, 1994, the Board of Registered Nursing issued Registered  
25 Nurse License Number 505515 to Michele Langholz, also known as Michele Ann Dorough, also  
26 known as Michele Greenlee (Respondent). The Registered Nurse License was in full force and  
27 effect at all times relevant to the charges brought herein and will expire on December 31, 2013,  
28 unless renewed.

## JURISDICTION

3. This Accusation is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

4. Section 2750 of the Code provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under section 2811, subdivision (b) of the Code, the Board may renew an expired license at any time.

## STATUTORY PROVISIONS

6. Section 2761 of the Code states:

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

(a) Unprofessional conduct, which includes, but is not limited to, the following:

(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action.

## COSTS

7. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case, with failure of the licentiate to comply subjecting the license to not being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be included in a stipulated settlement.

1 **CAUSE FOR DISCIPLINE**

2 **(Out-of-State Discipline Against Respondent's Washington Nursing License)**

3 8. Respondent has subjected her license to disciplinary action under section 2761,  
4 subdivision (a)(4) of the Code in that her registered nurse license was disciplined by the State of  
5 Washington. The circumstances are as follows:

6 9. On or about April 20, 2012, the State of Washington's Department of Health, Nursing  
7 Care Quality Assurance Commission (Commission), filed a Statement of Charges against  
8 Respondent in case number M2012-194. The Statement of Charges alleged that in or around  
9 March 2011, Respondent diverted fentanyl<sup>1</sup> from at least one patient. On or about March 7, 2011,  
10 Respondent submitted to a for-cause drug screen and tested positive for fentanyl.

11 10. Based on the allegations, the Commission found that Respondent committed  
12 unprofessional conduct in violation of Revised Codes of Washington (RCW) 18.130.180,  
13 subdivisions (6), (7) and (23)(b), and Washington Administrative Code (WAC) 246-840-  
14 710(5)(a).

15 11. As a result of the Statement of Charges, Respondent entered into a Stipulated  
16 Findings of Fact, Conclusions of Law and Agreed Order. Effective August 31, 2012,  
17 Respondent's Washington nursing license was suspended for a period of at least 24 months. Prior  
18 to petitioning for reinstatement, Respondent is required to provide satisfactory evidence of being  
19 clean and sober for at least 24 consecutive months immediately preceding the petition, which  
20 shall include random, observed biological fluid testing at least 12 times per year, and quarterly  
21 testing by an independent testing entity. Respondent is also required to complete a chemical  
22 dependency treatment program, participate in NA/AA, and obtain a chemical dependency  
23 evaluation within 90 days of requesting reinstatement. Respondent is further required to pay a  
24 fine to the Commission in the amount of \$500 prior to petitioning for reinstatement.

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27 <sup>1</sup> Fentanyl, an opioid, is a Schedule II controlled substance as designated by Health and  
28 Safety Code Section 11055, subdivision (c)(8), and is a dangerous drug pursuant to Business and Professions Code section 4022.

1 **PRAYER**

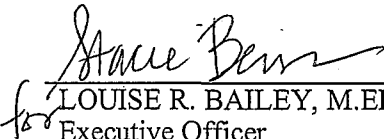
2 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
3 and that following the hearing, the Board of Registered Nursing issue a decision:

4 1. Revoking or suspending Registered Nurse License Number 505515, issued to  
5 Michele Langholz, also known as Michele Ann Dorough, also known as Michele Greenlee;

6 2. Ordering Michele Langholz to pay the Board of Registered Nursing the reasonable  
7 costs of the investigation and enforcement of this case, pursuant to Business and Professions  
8 Code section 125.3;

9 3. Taking such other and further action as deemed necessary and proper.

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11  
12 DATED: April 29, 2013

  
13 LOUISE R. BAILEY, M.ED., RN  
14 Executive Officer  
15 Board of Registered Nursing  
16 Department of Consumer Affairs  
17 State of California  
18 Complainant

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